

1 THE HONORABLE THOMAS S. ZILLY
2
3
4
5
6
7
8

9 UNITED STATES DISTRICT COURT
10 FOR THE WESTERN DISTRICT OF WASHINGTON

11 HUNTERS CAPITAL, LLC, et al.,
12 Plaintiffs,
13 vs.
14 CITY OF SEATTLE,
15 Defendant.

Case No. 2:20-cv-00983-TSZ

STIPULATION AND [PROPOSED]
ORDER REGARDING EXPERT MOTION
DEADLINE

NOTED: January 5, 2023

16
17 **STIPULATION**

18 The parties have conferred regarding the pending deadline for motions regarding expert
19 witnesses currently set for January 12, 2023. The parties believe that two of the three motions
20 currently pending before the Court – Plaintiffs’ motion for sanctions that includes a request for
21 entry of judgment and Defendant’s motion for summary judgment – could materially affect the
22 need for, or scope and content of, any motions regarding expert witnesses.

23 The parties therefore stipulate and request that the Court enter an order changing the
24 current deadline from January 12, 2023, to February 16, 2023, to allow the parties to adjust their
25 motions based on any orders the Court may issue prior to February 16, while avoiding any need
26 for a continuance of the trial date.

STIPULATION AND [PROPOSED] ORDER
REGARDING EXPERT MOTION DEADLINE
(Case No. 2:20-cv-00983-TSZ) - 1

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW
1301 SECOND AVENUE, SUITE 2800
SEATTLE, WASHINGTON 98101
TEL +1.206.274.6400 FAX +1.206.274.6401

The parties also request that the expert motions be treated as fourth Friday motions rather than third Friday motions, as currently contemplated in the amended scheduling order, Dkt. 98.

STIPULATED AND AGREED TO this 5th day of January, 2023.

MORGAN LEWIS & BOCKIUS LLP

By /s/ Angelo Calfo

Patricia A. Eakes, WSBA No. 18888
Angelo J. Calfo, WSBA No. 27079
Tyler S. Weaver, WSBA No. 29413
Gabe Reilly-Bates, WSBA No. 52257
Andrew DeCarlow, WSBA No. 54471
Henry Phillips, WSBA No. 55152
1301 Second Avenue, Suite 2800
Seattle, WA 98101
Phone: (206) 274-6400
Fax: (206) 274-6401
Email: patty.eakes@morganlewis.com
angelo.calfo@morganlewis.com
tyler.weaver@morganlewis.com
gabriel.reillybates@morganlewis.com
andrew.decarlow@morganlewis.com
henry.phillips@morganlewis.com

Attorneys for Plaintiffs

ANN DAVISON
Seattle City Attorney

By:s Joseph Groshong

Joseph Groshong, WSBA No. 41593
Assistant City Attorneys
Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104
Phone: (206) 684-8200
Fax: (206) 684-8284
E-mail: Joseph.Groshong@seattle.gov

-and-

STIPULATION AND [PROPOSED] ORDER
REGARDING EXPERT MOTION DEADLINE
(Case No. 2:20-cv-00983-TSZ) - 2

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW
1301 SECOND AVENUE, SUITE 2800
SEATTLE, WASHINGTON 98101
TEL +1 206 274 6400 FAX +1 206 274 6401

HARRIGAN LEYH FARMER & THOMSEN LLP

By s *Shane P. Cramer*

Arthur W. Harrigan, Jr., WSBA #1751

Tyler L. Farmer, WSBA #39912

Shane P. Cramer, WSBA #35099

Erica Iverson, WSBA #59627

999 Third Avenue, Suite 4400

Seattle, WA 98104

Seattle, WA 98104

Phone: (206) 623-1

Fax: (206) 623-8717

E-mail: arthurh@harriga

tylerf@harriganleyh.com

shanec@harriganleyh.com

ericai@harriganleyh.com

Attorneys for Defendant City of Seattle

STIPULATION AND [PROPOSED] ORDER
REGARDING EXPERT MOTION DEADLINE
(Case No. 2:20-cv-00983-TSZ) - 3

MORGAN, LEWIS & BOCKIUS LLP

ATTORNEYS AT LAW

ATTORNEYS AT LAW

1501 SECOND AVENUE, SUITE 200
SEATTLE, WASHINGTON 98101

TEL +1.206.274.6400 FAX +1.206.274.6401

[PROPOSED] ORDER

Having considered the parties' stipulation, the Court hereby orders that the deadline for filing motions related to expert witnesses shall be moved from January 12, 2023, to February 16, 2023. Expert motions shall be noted on the calendar no later than the fourth Friday thereafter.

Dated: January ___, 2023.

**THE HONORABLE THOMAS S. ZILLY
U.S. DISTRICT COURT JUDGE**

Presented by:

MORGAN LEWIS & BOCKIUS LLP

By /s/ *Angelo Calfo*

Patricia A. Eakes, WSBA No. 18888

Angelo J. Calfo, WSBA No. 27079

Tyler S. Weaver, WSBA No. 29413

Gabe Reilly-Bates, WSBA No. 52257

Andrew DeCarlow, WSBA No. 54

Henry Phillips, WSBA No. 55152
12815 1/2 NE 10th Street, Seattle, Washington

1301 Second Avenue, Suite 2800
Seattle, WA 98101

Seattle, WA 98101
P1 (206) 274-6

Phone: (206) 274-6400
Fax: (206) 274-6401

Fax: (206) 274-6401
Email: patty.schles@w

Email: patty.eakes@morganlewis.com
angelo.calfo@morganlewis.com

angelo.callo@morganlewis.com
tyler.weaver@morganlewis.com

tyler.weaver@morganlewis.com
gabriel.reillybates@morganlewis.com

gabriel.reillybates@morganlewis.com
andrew.decarlow@morganlewis.com

andrew.decarrow@morganlewis.com
henry.phillips@morganlewis.com

henry.phillips@morganeewis.com

Attorneys for Plaintiffs

Attorneys for Plaintiff(s)

Attorneys for Plaintiffs

-and-

**STIPULATION AND [PROPOSED] ORDER
REGARDING EXPERT MOTION DEADLINE
(Case No. 2:20-cv-00983-TS) - 4**

MORGAN, LEWIS & BOCKIUS LLP

MORGAN, LEWIS & BOKER LLP
ATTORNEYS AT LAW
1301 SECOND AVENUE, SUITE 2800
SEATTLE, WASHINGTON 98101
TEL +1 206 274 6400 FAX +1 206 274 6401

1 **ANN DAVISON**
2 Seattle City Attorney

3 By:/s Joseph Groshong
4 Joseph Groshong, WSBA No. 41593
5 Assistant City Attorneys
6 Seattle City Attorney's Office
7 701 Fifth Avenue, Suite 2050
8 Seattle, WA 98104
9 Phone: (206) 684-8200
10 Fax: (206) 684-8284
11 E-mail: Joseph.Groshong@seattle.gov

12 **HARRIGAN LEYH FARMER & THOMSEN LLP**

13 By /s Shane P. Cramer
14 Arthur W. Harrigan, Jr., WSBA #1751
15 Tyler L. Farmer, WSBA #39912
16 Shane P. Cramer, WSBA #35099
17 Erica Iverson, WSBA #59627
18 999 Third Avenue, Suite 4400
19 Seattle, WA 98104
20 Phone: (206) 623-1700
21 Fax: (206) 623-8717
22 E-mail: arthurh@harriganleyh.com
23 tylerf@harriganleyh.com
24 shanec@harriganleyh.com
25 ericai@harriganleyh.com

26 *Attorneys for Defendant City of Seattle*